

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION

C. Earl Grant,

Civil No. 99-66 DSD/AJB

Plaintiff,

v.

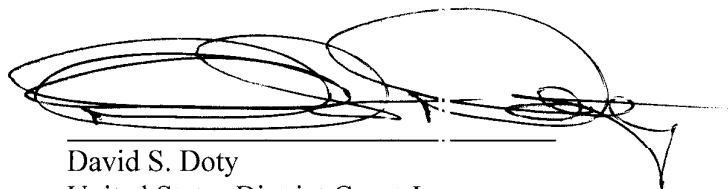
**ORDER**

Gerald S. Golden and National Board  
of Medical Examiners,

Defendants.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated November 7, 2000, along with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED THAT** defendants' Motion for Sanction of Dismissal with prejudice is **granted in part and denied in part** [Docket No. 74]. Plaintiff's complaint is dismissed without prejudice. Any new complaint against defendants in this matter may be served and filed only upon plaintiff's payment of all monetary sanctions that are imposed in this case, to include \$750.00 pursuant to Order dated June 15, 2000, and the additional amount of \$3000.00 as reasonable attorneys fees and expenses incurred in bringing the motion to dismiss. Fed. R. Civ. P. 41(b). The \$750.00 sanction pursuant to the June 15, 2000, Order has already been imposed and payment is required without respect to whether plaintiff files a later action.

Dated: 11/29/00



David S. Doty  
United States District Court Judge

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